



Attorney Docket 103

AF/37/4
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application:
Applicant: Joseph J. Solon
S.N. 10/005,696
Filed: Dec. 7, 2001

ART UNIT 3724
EXAMINER ISAAC H. HAMILTON

UNDER FINAL REJECTION

TITLE: METHODS AND APPARATUS FOR PROCESSING RECLAIMED
TIRE TREAD STRIPS

To The Commissioner of Patents and Trademarks:

Re: **RESPONSE TO ADVISORY ACTION OF MAY 28, 2004**
TRANSITIONAL PROCEDURE UNDER 37CFR 1.129(a)
WITH ACCOMPANYING FEE UNDER 1.17(r) of \$385.00

Dear Sir:

Kindly withdraw the final rejection and act upon the merits of the accompanying timely response to the Final Rejection of April 21, 2004 under the transitional procedure of 37 CFR 1.129(a).

BACKGROUND REMARKS

The Examiner without withdrawing the final rejection of April 21, 2004 cited two new references under 35 USC 102, namely Fritz, et al 3,687,269 and Busch 3,710,836 and the further rejection grounds (a) that the claims limit the structure of the cutting apparatus, but not the structure of the tread strips, and (b) that the limitations concerning the tread strips is merely the intended use of the apparatus and does not prevent an